

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

JENNY PHENIX,

Plaintiff,

v.

**VILLA VIE RESIDENCES
INCORPORATED,**

**VILLA VIE RESIDENCES
CORPORATION,**

&

VV ODYSSEY LLC

Defendants.

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/ CASE NO.: 1:25-cv-00378-RGA

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ORDER

Upon consideration of the motion for alternative or substituted service filed by Plaintiff, Jenny Phenix, seeking an order permitting Plaintiff to serve all three Defendants, Villa Vie Residences Incorporated (“VVRI”) of the Republic of the Marshal Islands, VV Odyssey, LLC (“VV”) of the Republic of the Marshal Islands and Villa Vie Residences Corporation (“VVRC”) of Florida (collectively “Defendants”) with the summons and complaint in the above-captioned matter via email and via email to their counsel, pursuant to Fed. R. Civ. P. 4(f)(3) and 4(h), after due consideration of the circumstances presented including the contractual terms of the parties that required the plaintiff to sue in Delaware and provide notice to an address of defendants in Delaware but Defendants having terminated its relationship with any office in Delaware and moving out of the state, defendants having ignored requests to waive service despite proof of receipt and having

purposely evaded service by certified mail by rejecting receipt and further it appearing that Defendants primarily conduct their business by email with the utilization of remote offices for staff, and the plaintiff was unable to make personal service due to evasive conduct by the Defendants, the court finds that the declarations and supporting documentation attached to the motion satisfy relief by way of alternative or substitute service. The proposed methods of alternative service— email to the business email addresses —is reasonably calculated to provide Defendants with notice of this lawsuit and afford them an opportunity to present their objections.

IT IS THEREFORE ORDERED that Plaintiff's Motion for Alternative or Substituted Service of Process on Defendants is **GRANTED**.

IT IS FURTHER ORDERED that Plaintiffs may serve Defendants Villa Vie Residences Incorporated, VV Odyssey, LLC and Villa Vie Residences Corporation under Rule 4(e), 4(f)(3) and 4(h) of the Federal Rules of Civil Procedure by using the following methods:

emailing a copy of the summons and complaint to Defendants at:
admin@villavieresidences.com,
mike@villavieresidences.com, and
kathy@villavieresidences.com.

IT IS FURTHER ORDERED that Plaintiff file a return of service including (a) a sworn statement setting out the date of transmission of the email of service of process; (b) attach copies of the emails used to send service of process; and (c) note any bounces or further proof of email delivery.

IT IS SO ORDERED.

SIGNED this 17th day of 2025.

/s/ Richard G. Andrews

Richard G. Andrews

UNITED STATES DISTRICT JUDGE